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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,796	07/29/2003	Chiu Chih Chung	AP3039-5JJ1BA01	4525
7590	05/27/2004		EXAMINER	
Chiu Chih Chung 235 Chung-Ho Box 8-24 Taipei, TAIWAN			DUNWOODY, AARON M	
			ART UNIT	PAPER NUMBER
			3679	
DATE MAILED: 05/27/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/628,796	CHUNG, CHIU CHIH	
Examiner		Art Unit	
Aaron M Dunwoody		3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 29 July 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 29 July 2003 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

No priority claimed.

Information Disclosure Statement

No Information Disclosure Statement submitted.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 61. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's prior art Figure 1 in view of US patent 2216468, Farrar and BE 536493.

In regards to claim 1, Applicant's prior art Figure 1 discloses an outlet joint of a flexible tube comprising:

a flexible tube body;

an inner side of the flexible tube body having an internal tube;
a protecting ring enclosing the flexible tube body;
a joint including a sleeve for locking one end of the flexible tube body;
a water stop block engaged in a lower end of the internal tube, and
a water stop sleeve tightly engaged to the water stop block;
wherein two ends of an inner surface of the sleeve have inner threads so
that one end thereof is screwed to an end portion of the flexible tube body and
another end thereof is locked by the water stop sleeve;
wherein the water stop block is a ring; an outer surface of the water stop
block has an annular recess for receiving a washer; a screw rod protruded from a
top of the water stop block which is received in the internal tube; wherein a top
surface of the water stop sleeve has a receiving groove; one end of the inner
surface of the receiving groove is correspondent to the outer surface of the water
stop block for aligning the water stop block to the water stop sleeve as the water
stop sleeve is engaged with the water stop block; an outer surface of the water
stop sleeve is formed With external thread which can be locked into one of the
sleeve so that after the water stop sleeve is locked, the sleeve is between the
sleeve and the inner tube; a thin metal ring is placed between the water stop
sleeve and the internal tube for drain-proof,
thereby, by above structure, the water stop block is tightly engaged to the
water stop sleeve so that the outlet joint tan suffer from a great water pressure.
The Applicant's prior art Figure 1 does not disclose a tightening ring being

installed between the internal tube and the flexible tube body; nor, a water stop block being a tapered prolong ring.

Farrar teaches a tightening ring (36) being installed between the internal tube (20) and the flexible tube body (26) "to insure the production of a rugged and durable construction" (pg. 1, col. 1, lines 24-30). As Farrar relates coupling structures adapted for use with flexible metal tubing, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a tightening ring installed between the internal tube and the flexible tube body to insure the production of a rugged and durable construction, as taught by Farrar.

BE 5366493 teaches a water stop block (3) being a tapered prolong ring (3a). It would have been obvious to one having ordinary skill in the art at the time the invention was made to fabricate the water stop block with a tapered prolong ring, since a change in the shape of a prior art device is a design consideration within the skill of the art. In re Dailey, 357 F.2d 669, 149 USPQ 47 (CCPA 1966).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure because it illustrates the inventive concept of the invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M Dunwoody whose telephone number is 703-306-3436. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P Stodola can be reached on 703-306-5771. The

fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

.amd



Aaron Dunwoody
Patent Examiner
Technology Center 3670